

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Affiliated Realty & Management Co.
DOCKET NO.: 03-23702.001-C-1
PARCEL NO.: 15-09-202-012-0000

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Affiliated Realty & Management Co., the appellant, by attorney Jerrold H. Mayster with the law firm of Mayster & Chaimson, Ltd. in Chicago, and the Cook County Board of Review.

The subject property consists of a 37-year-old, one-story, masonry, 5,460 square foot, class 5-17 multi-tenant commercial building situated on 12,375 square feet of land and located in Proviso Township, Cook County.

The appellant, through counsel, appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this argument, the appellant provided four commercial properties. The appellant also submitted a two-page brief, printouts and 4904/4905 buff cards for the subject and the suggested comparables as well as a copy of the board of review's decision. Based on the appellant's documents, the four suggested comparables consist of one-story, class 5-17, commercial properties that range in age from 11 to 47 years and have the same neighborhood code as the subject. The improvements range in size from 3,500 to 5,205 square feet of building area. The suggested comparables have improvement assessments ranging from \$7.87 to \$10.65 per square foot of building area.

At hearing, the appellant's attorney argued that the appellant's comparables are similar to the subject and indicates that the subject is treated inequitably when compared to similar

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$ 30,096
IMPR.:	\$ 54,600
TOTAL:	\$ 84,696

Subject only to the State multiplier as applicable.

PTAB/rfd5882

properties. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review-Notes on Appeal" that disclosed the subject's total assessment of \$88,806 which reflects a market value of \$233,700, or \$42.80 per square foot as factored by the Cook County Ordinance level of 38%. The board submitted evidence in support of its assessed valuation of the subject property. As evidence, the board offered four sales of commercial properties ranging in size from 4,500 to 6,300 square feet of building area that occurred between June 2001 and August 2002 for prices ranging from \$350,000 to \$410,000, or from \$64.44 to \$91.11 per square foot of land and building. No analysis or adjustment of the sales data was provided by the board. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

After hearing the testimony and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the PTAB finds the appellant has overcome this burden.

The PTAB finds the appellant's comparables are similar to the subject in improvement size, age and location. These four properties have improvement assessments ranging from \$7.87 to \$10.65 per square foot of building area. The subject's per square foot improvement assessment of \$10.75 falls above the range established by these properties. After considering the differences and similarities in the appellant's suggested comparables when compared to the subject, the PTAB finds the evidence submitted is sufficient to cause a change in the subject's assessment.

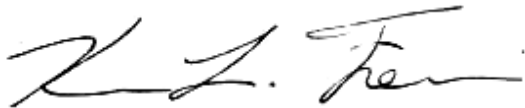
The PTAB gives less weight to the board's sales evidence because it lacks analysis as well as a supported conclusion of value. In addition, the board of review's evidence does not address the appellant's inequity argument.

As a result of this analysis, the PTAB finds the appellant has adequately demonstrated that the subject property was inequitably assessed by clear and convincing evidence and a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: August 14, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.